

## **ANIMAL AND PLANT HEALTH INSPECTION SERVICE**

### **COMMITTEE MEMBERSHIP BALANCE PLAN**

#### **1. Committee's Official Designation**

The renewed committee shall be the Secretary's Advisory Committee on Animal Health (the "Committee").

#### **2. Authority**

The Committee is established by the Secretary for the U.S. Department of Agriculture (USDA). The Committee operates in accordance with the provisions of the Federal Advisory Committee Act (FACA) as amended 5 U.S.C. App. 2.

#### **3. Objectives and Scope of Activities**

The Committee's purpose is to advise the USDA on strategies, policies, and programs that prevent, control, and/or eradicate diseases of national significance. The Committee will bring animal health from a one-health perspective, including natural resources, public health, livestock economies, emerging and other diseases, comprehensive surveillance, traceability, import/export strategies, and other related aspects of agriculture.

#### **4. Points of View Needed for the Committee**

The points of view sought for this Committee will require representatives from a variety of geographic locations, representing a broad spectrum of individuals and groups with agricultural interests. One Regular Government Employee (RGE) will be competitively appointed to serve along with one Special Government Employee (SGE). Both the RGE and SGE will have comprehensive backgrounds in animal health. The remaining eighteen members will be appointed as representatives of the following groups:

- Cattle producers/cattle producer groups (3);
- Poultry producers/poultry producer groups (2);
- Swine producers/swine producer groups (2);
- Sheep and goat producers/sheep and goat producer organizations (1);
- Aquaculture producers/aquaculture producer groups (1);
- Veterinary public health or animal welfare (1);
- Wildlife/zoo biologists or veterinarians (1);

- Veterinarians/veterinary professional organizations (2);
- Agricultural research/academia/scientists (SGE);
- Veterinary Medical Officer (RGE);
- Organic producers/organic producer groups (1);
- Tribal (1);
- State animal health officials (2); and
- Livestock marketing and processing groups (1).

The numbers following each group represent the preferred distribution of the candidates among the various groups. The groups represented indicate a balanced Committee.

## **5. Other Balance Factors**

An effort will be made to provide a balance of points of view from a range of agricultural interests, as well as to appoint members from multiple regions of the United States.

Equal opportunity practices, in line with USDA policies, will be followed in all membership appointments to the committee. To ensure that the recommendations of the committee have taken into account the needs of the diverse groups served by the Department, membership shall include, to the extent practicable, individuals with demonstrated ability to represent minorities, women, and persons with disabilities.

The USDA prohibits discrimination in all of its programs and activities on the basis of race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, political beliefs, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA (not all bases apply to all programs).

## **6. Candidate Identification Process**

The Agency will convene a task group comprised of partners (e.g., State animal health officials, past chairs), APHIS Veterinary Medical Officers, Veterinary Services' Chiefs of Staff, and the current Designated Federal Official (DFO), who will review all incoming applications and nominations. The terms of the current Committee members will expire in July 2017. Up to fifty percent (or ten members) of the current Committee may be reappointed for an additional term to ensure continuity and seamless transition. Current Committee members may also nominate individuals. Once candidates have been identified, their names and

background data are submitted to the USDA White House Liaison's office to be vetted. This process includes a background check to determine if any of the candidates have a conflict of interest that would prohibit them from serving on the committee due to criminal or ethical violations. It also confirms that nominees are not registered Federal lobbyists or currently serving on other committees. Current members who have not reach the 6-year limitation of Federal advisory committee service will be considered for an additional 2-year reappointment. These members will be required to complete a new Form AD-755.

## **7. Subcommittee Balance**

Should USDA ~~Committee~~ deem it necessary and advisable to commission another committee, it will be balanced relative to the nature of the issues undertaken.

## **8. Legal Background**

Section 5(b)(2) of the FACA requires "...the membership of the advisory committee to be fairly balanced in terms of the points of view represented and the functions to be performed by the advisory committee." The corresponding FACA regulations reiterate this requirement at 41 CFR § 102-3.30(c), and, for discretionary committees being established, renewed, or reestablished, require agencies to provide a description of their plan to attain fairly balanced membership during the charter consultation process with GSA (41 CFR § 102-3.60(b)(3)). The document created through this process is the Membership Balance Plan. The regulations further clarify:

(1) the purpose of the membership balance plan is to ensure "that, in the selection of members for the advisory committee, the agency will consider a cross-section of those directly affected, interested, and qualified, as appropriate to the nature and functions of the advisory committee"; and

(2) "[a]dvisory committees requiring technical expertise should include persons with demonstrated professional or personal qualifications and experience relevant to the functions and tasks to be performed." (41 CFR § 102-3.60(b)(3)).

FACA mandates that Federal advisory committees be balanced in the points of view represented by the members, but leaves it to the discretion of each Agency on how to do this. The FACA regulations offer guidance in achieving a balanced Federal advisory committee membership, which includes considering:

- a. The Federal advisory committee's mission;

- b. The geographic, ethnic, social, economic, or scientific impact of the Federal advisory committee's recommendations;
- c. The types of specific perspectives required, such as those of consumers, technical experts, the public at-large, academia, business, or other sectors;
- d. The need to obtain divergent points of view on the issues before the Federal advisory committee; and
- e. The relevance of State, local, or Tribal governments to the development of the Federal advisory committee's recommendations. (41 CFR § III of App. A to Subpart B).

9. **Date Prepared:** March 10, 2016